

IN THE  
UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS

**FILED**

7-25-2008  
JUL 25 2008 MB

JUAN SANCHEZ JR.,  
PETITIONER-APPELLANT,

MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURT.

VS.

CASE NO. 07-CV-6099

WARDEN EDDIE JONES,  
RESPONDENT-APPELLE.

Blanche M. Manning, Judge

JURISDICTIONAL MEMORANDUM

NOWCOMES The Petitioner-Appellant, JUAN SANCHEZ JR., Pro Se, and with the Assisatnce of an Inmate Paralegal, Submits This Instant Memorandum to show the Court that it does have Jurisdiction over this Case as the Petitioner complied with the Requirements to have this Appeal Heard Before the Seven Circuit Court of Appeals. In support thereof, the Petitioner States as Follows:

1.) On OCTOBER 22<sup>nd</sup>, 2007., The Petitioner Filed a Petition For Habeas Corpus Relief in the United States District Court For The Northern District Of Illinois Pursuant to 28 U.S.C. § 2254.

2.) After Responsive Pleadings by the Illinois Attorney General General and The Petitioner's Reply thereto. The Disrict Court Judge Blanche M. Manning Denied the Petitioner's § 2254 Petition as untimly on May 20, 2008.

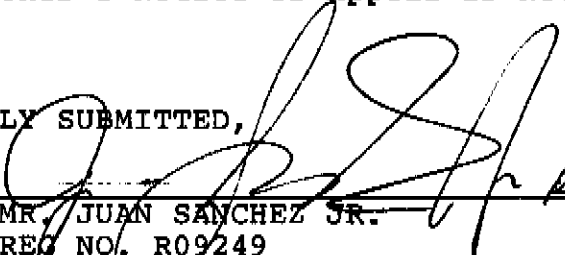
3.) The Petitioner, thereafter, with the Assitance of an Inmate Paralegal Timely Drafted and Placed in the Institutional Mail a Notice of Appeal, Certificate of Appealability, and Docketing Statement on June 19, 2008, SEE PETITIONER'S SWORN AFFIDAVIT ATTACHED HERETO AS EXHIBIT A, IN THE INSTITUTIONAL Mail at the Pontiac Correctional Facility, Properly addressed with Postage Prepaid to the Clerk of the United States District Court For the Northern District Of Illinois. SEE PETITIONER'S Proof of SERVICE AND CORRESPONDING DOCUMENTS ATTACHED HERETO AS EXHIBIT B

4.) Therefore, The Petitioner Contends that The Seven Circuit Court of Appeals Does or Should Properly Have Jurisdiction over this instant Case.

5.) In addition, The Petitioner would ask the Court to take Judicial Notice that The Court's Order's Of July 15, 2008, and July 16, 2008, bears the Case Number and Presiding Judge's Name of a Case that is From the Southern District Of Indiana, Terre Haute Division instead of the Proper Information and Case Number that Pertains to the Petitioner in The above Captioned Cause of Action.

WHEREFORE, The Petitioner prays for an order of this Honorable Court finding that This Court Does have Jurisdiction over This Matter and the Petitioner's Notice of Appeal is Not Late.

RESPECTFULLY SUBMITTED,

  
MR. JUAN SANCHEZ JR. R09249  
REG NO. R09249  
PONTIAC CORRCETIONAL FACILITY  
700 W. LINCOLN ST.  
PONTIAC, ILLINOIS 61764

original  
STATE OF ILLINOIS )  
LIVINGSTON COUNTY ) SS

AFFIDAVIT

I JUAN SANCHEZ JR., being First Duly Sworn Upon My oath, Depose and state that the following matters are both true and Correct and made upon My Personal Knowlegde and belief, and if called as a witness, I am Compentent to testify thereto:

On June 19, 2008, The Petitioner Juan Sanchez Jr. drafted a Notice of Appeal, Certificate of Appealability & a Docketing Statement and Placed these Documents in the institutional Mail at The Pontiac Correctional Facility along with a Proof of service Declaring under the Penalty of Perjury.

These things were sent to the Clerk of the Court for the Northern District of Illinois, United States District Court and not to the Seven Circuit Court of Appeals and the Courts Order of July 16, 2008, States.

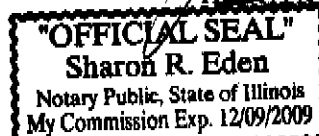
The Petitioner in fact placed The above said documents in His Cell bars at the Pontiac Correctional Facility to be picked up by the Correctional Officer that is assigned to the Cell House Gallerl that The Petitioner is being Housed according to the Policy of the Pontiac Correctional Facility. Mail is Picked up on the 3-11 Shift after Incoming Mail Call is Completed and then Placed in an Institutional Mail Bag and Returned to the Institutional Mailroom and Processed to be Mailed through the United States Postal Service the Next Morning after Postage is Affixed to the Legal Mail by the Business Office.

As the Petitioner has repeatedly Stated throughout the Proceedings related to this matter. He is Only allowed to attend the Institutional Law Library in which to seek the Help of the Inmate Paralegal to Explain to Him in Spanish what He Needs to Do in Response to the Court's Orders and to Get Copies of the Documents for mailing to all Parties. So, June 19, 2008, was the First opportunity the Petitioner had to Complete the above said Actions.

RESPECTFULLY

SUBSCRIBED AND SWORN TO BEFORE  
ME THIS 21 DAY OF JULY 2008

Sharon R Eden



Original

ILLINOIS DEPARTMENT OF CORRECTIONS

**Offender Authorization for Payment**

Posting Document # \_\_\_\_\_ Date [REDACTED] \*

Offender Name JUAN SANCHEZ JR. ID# R-09249 Housing Unit S-PC # 726.

Pay to Postage

Address 219 S Dearborn St. / U.S. Court House.

City, State, Zip Chicago IL, 60604.

The sum of 00 dollars and 00 cents charged to my trust fund account, for the purpose of Sending Notice of appeal to clerk U.S. dist. Court.

☒ I hereby authorize payment of postage for the attached mail. ☐ I hereby request information on electronic funds transfers to be placed in the attached mail.

Offender's Signature [Signature] ID# R-09249.

Witness Signature \_\_\_\_\_

☐ Approved ☐ Not Approved Chief Administrative Officer Signature 541632 JUN. 25, 2008

Postage applied in the amount of 1 dollars and 51 cents.

Distribution: Business Office, Offender

Legal  
Printed on Recycled Paper

DOC 0286 (Eff. 1/2008)  
(Replaces DC 828)

original

IN THE  
UNITED STATES DISTRICT COURT FOR THE NORTHERN  
DISTRICT OF ILLINOIS

JUAN SANCHEZ JR.  
 Plaintiff/Petitioner

Vs.

Eddie Jones  
 Defendant/Respondent

No. 07 CV-060099

**PROOF/CERTIFICATE OF SERVICE**

TO: CLERK OF U.S. TO: \_\_\_\_\_  
DISTRICT COURT NORTHERN DIST. OF ILL.  
219 SOUTH DEARBORN ST.  
CHICAGO IL, 60604

PLEASE TAKE NOTICE that on June 19<sup>th</sup>, 2008, I placed  
 the documents listed below in the institutional mail at Pontiac  
 Correctional Center, properly addressed to the parties listed above for mailing through  
 the United States Postal Service

Certificate of appealability §  
Notice of Appeal § Docketing Statement.

Pursuant to 28 USC 1746, 18 USC 1621 or 735 ILCS 5/1-109 I declare, under penalty of  
 perjury that I am a named party in the above action, that I have read the above  
 documents, and that the information contained therein is true and correct to the best of  
 my knowledge and belief.

DATED: 6-19-08

/s/ [Signature]  
 Name: JUAN SANCHEZ JR.  
 IDOC No. RO9249  
Pontiac Correctional Ctr.  
 POB 99

Pontiac, IL 61764.

Exhibit B

original -

IN THE  
United States District Court For the Northern  
District of Illinois

JUAN SANCHEZ JR.

Plaintiff/Petitioner

Vs.

Eddie Jones

Defendant/Respondent

No. 07 CV-060099

6099

PROOF/CERTIFICATE OF SERVICE

TO: Clerk of U.S  
District Court Northern Dist. of Ill.  
219 South Dearborn St.  
Chicago, IL, 60604

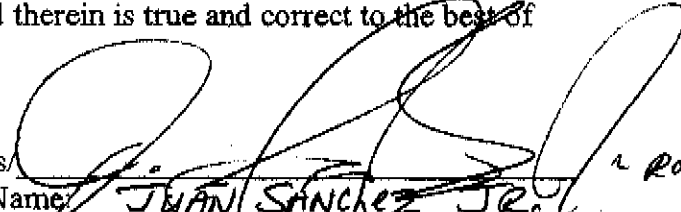
TO: Lisa Madigan  
Attorney General  
100 West Randolph Street.  
Chicago, IL, 60601.

PLEASE TAKE NOTICE that on July 21, 2008, I placed  
the documents listed below in the institutional mail at Pontiac  
Correctional Center, properly addressed to the parties listed above for mailing through  
the United States Postal Service

Jurisdictional Memorandum & Affidavit.

Pursuant to 28 USC 1746, 18 USC 1621 or 735 ILCS 5/1-109 I declare, under penalty of  
perjury that I am a named party in the above action, that I have read the above  
documents, and that the information contained therein is true and correct to the best of  
my knowledge and belief.

DATED: 7-21-08

/s/   
Name JUAN SANCHEZ JR. <sup>2 R09249</sup>  
IDOC No. R09249  
Pontiac Correctional Ctr.  
POB 99  
Pontiac, IL 61764